

**From:** Colefarm  
**Sent:** Thursday, October 16, 2003 4:47 PM  
**To:** Juricich, Rich A.; Gina Bartlett  
**Subject:** Bulletin 160 draft comments

Hi,

Just in case I am not able to get to the meeting tomorrow 10/17, I wanted to extend my appreciation for the work you have done on this the Bulletin 160 Water Transfer Section. The reformatting to try to balance the "cheerleading" for transfers with some cautionary comments is helpful.

I am not sure the potential unreliability of water from transfers from the Northern Sacramento water budget is represented as I had hoped....The unreliability comes from the degree of uncertainty in science and extrapolated assumptions from very different hydrologic regions. If the listed protections are respected...and cumulative stresses on regional aquifers exerted by the many acquisition programs are studied, it may be a totally different picture of available supply for transfer.

While I could wordsmith, I will mention just a few areas where there is a significant problem with generalization or omission which blemishes the good work you've done in presenting the topic of water transfers.

Pg 5-180 in the bound copy

When one reads the paragraph at the top of the page there is the impression that transfers only involve agencies or contractors. The omission of the huge number of private well owners with no alternatives to groundwater, yet who are silent participants to groundwater shifts involved in transfers should be corrected. (An example....Butte County has about 14,000 private wells...the water transfer involving Western Canal and Richvale ID as sellers to the 1994 drought water bank involved about 40 entities. Native vegetation and trees died that year...who knows if the precipitous drop in water levels had anything to do with those losses... We do know that third party wells were effected.

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Paragraph 1...The assumption of reasonableness in recessionary pressure from these crop idling or water transferring actions should be linked to mention of the economic vulnerability of rural areas and their limited resiliency or diversity complicating the evaluation of what these % mean.....more study is needed. Comment on additional study with Regional oversight and collaboration should be added to recommendations. The EWA economic study has not had local review.

Paragraph 2 (Jenkins and Newlin) I believe the study didn't calculate the opportunity for job growth and prosperity from developing water conservation retrofit technology, landscaping conversions, and new architectural design movements for water scarce areas. It only assumed losses from not having desired water ...with no reactionary steps calculated for economic growth. Those changes to respond to shortage would address not only the intermittent shortage, but build in sustainable jobs and trends which would reduce future losses to the water short areas rather than repetitive economic losses to the water source areas year after year.

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Paragraph 3

Last sentence "On a statewide basis, economic impacts to source areas are likely offset by economic benefits to areas receiving transferred water." This closing comment is troubling as it flies in the face of CALFED/ BAY-DELTA Principles which state that there will be **No**

**Redirected impacts** from one area to another. The state Framework for Action was specifically developed under the CALFED Record of Decision. At a minimum, there should be a companion statement that this offset of benefits and impacts has ENVIRONMENTAL JUSTICE implications which cannot be ignored...

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Last bullet on the page dealing with Public Trust Doctrine....Immediately after or within the same bullet, there needs to be a line item on economic equity and environmental justice costs and protections. I thought that point had been settled during the last Water Transfer conference call. The conclusion was that economic / environmental justice issues were going to be given the same respect as Public Trust. In my mind, that was the negotiated settlement for dropping the discussion of a broader interpretation of Public trust for this document. I do not see that agreement reflected in this chapter.

Page 5-191

Second bullet

Streamlining the approval process compromises the protection of environmental and economic interests. Only lengthy site specific CEQA/NEPA which includes the total of all potential water transfers out of the same region with adequate modeling of that action could possibly be justification for streamlining permits (a pre approval process)...I am assuming that all the science, public participation, and established potential mitigation trusts could be pre-approved within given criteria and would come close to a later streamlined transaction process.

A New Bullet should include discussion of establishing trust account for dealing with impacts and calculations of lost opportunity costs for source areas subsidizing the opportunities developed in water short areas which require the support of water transfers to sustain them.

Page 5-192

Last item large bullet-

Add language to include water marketing from within the same geographical region not just the same district or users...the districts may be just across the street or ditch from each other; therefore, it is proximity and hydrology rather than only jurisdiction that should alluded to in the quote. "Develop policies to ensure that multiple one-year water transfers by the same water users or water district are evaluated for cumulative effects on other water users, local economies, and the environment."

Thanks for relaying these comments to the group.  
Linda Cole